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ORIGINAL
FILE

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MAY 18 1992

May 18, 1992

Federal Communications Commission
Office of the Secretary

Ms. Donna R. Searcy, Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

Attn.: Allocations Branch
Rules and Policy Division
Mass Media Bureau

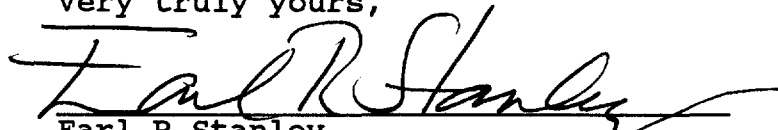
Dear Ms. Searcy:

There is transmitted herewith on behalf of Old Belt Broadcasting Corporation an original and four copies of a Petition for Rulemaking looking toward an exchange of FM channels between South Hill (Channel 288A) and Lawrenceville, Virginia (Channel 255A) and modifications of the respective authorizations for Station WSHV, South Hill so as to specify operation on Channel 255A and Station WHFD, Lawrenceville so as to specify operation on Channel 288A.

There is no filing fee for the submission of the enclosed petition.

Should there be any questions concerning the enclosure, kindly communicate with this office.

Very truly yours,


Earl R Stanley
WILKINSON, BARKER, KNAUER & QUINN

Counsel for Old Belt Broadcasting
Corporation

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ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

MAY 18 1992

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Section 73.202(b))
Table of FM Allotments)
Broadcast Stations)
(South Hill and Lawrenceville,)
Virginia))

To: The Commission

PETITION FOR RULEMAKING

Old Belt Broadcasting Corporation ("Old Belt"), by its counsel, pursuant to Section 1.401 of the Commission's rules, respectfully requests the commencement of a rulemaking proceeding looking toward amending Section 73.202(b) of the rules, as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
South Hill, Virginia	288A	255A
Lawrenceville, Virginia	255A	288A

Old Belt is the licensee of Station WSHV(FM), South Hill, Virginia which currently operates on Channel 288A with 3 kilowatts power and an antenna height above average terrain of 100 meters. Mr. William Carlton Link ("Link") is the permittee of Station WHFD, Lawrenceville, Virginia which operates under program test authority on Channel 255A with 3.0 kilowatts power and an antenna height above average terrain of 47.0 meters. (See File No. BLH-910925KA, filed September 25, 1991). The exchange of FM Channels between Lawrenceville and South Hill as proposed

would require modifications of the authorizations of both Station WSHV and Station WHFD.

Both Stations WSHV and WHFD are precluded from operations with 6 kilowatts power on their present channels due to other existing or proposed FM stations.^{1/} The proposed exchange of FM channels will enable both Old Belt and Link to increase the power of their respective stations to 6.0 kilowatts, resulting in large gains in areas and populations receiving FM services in the South Hill and Lawrenceville areas of Virginia.

South Hill is located in south-central Virginia about 50 miles southwest of Petersburg. It has a 1980 U.S. Census population of 4,347 residents and is the major shopping center in Mecklenburg County. Gross retail sales in 1988 were approximately \$65 million. When incorporated in 1902, South Hill was principally known for its tobacco industry and today remains the third largest market in Virginia. Steady growth in manufacturing and trade, however, has resulted in a diversified economy for the community. There are five banks and savings and loan associations in South Hill with combined assets approaching \$140 million. Old Belt desires to improve its FM signal and services to the residents of this fine and important south-central Virginia community and to Mecklenburg County.

^{1/} In June of 1990, Old Belt filed an application (File No. BPH-900601IA) to increase the power of WSHV to 6.0 kilowatts. Even though this application was supported by a "short spacing" agreement with Station WKDE(FM), Altavista, Virginia, the staff made only a partial grant with a specified power level of 4.5 kilowatts in order to avoid interference between WSHV and WKDE(FM).

The operation of Station WSHV with 6.0 kilowatts power will make it possible for the station to improve its signals to the people of South Hill and to adequately serve its entire home county of Mecklenburg. The proposed amendment will also further the Commission's goal of providing increased effective use of the FM spectrum. ^{2/}

Attached in support of this petition is an Engineering Statement (Exhibit No. 1) by Bromo Communications, Inc., a recognized consulting engineering firm, providing a detailed FM channel analysis in the South Hill and Lawrenceville areas. This study shows that Channel 255A may be assigned to South Hill consistent with the Commission's technical rules and that a station in Lawrenceville on Channel 288A would meet the required mileage separation and city coverage requirements of the rules. The Old Belt proposals can be accomplished and Section 73.202(b) of the rules can be amended without jeopardizing FM services to any other existing or proposed FM broadcast facility. No community would lose any present or potential FM service. Thus, there is everything to gain and nothing to lose by the change of channels proposed in this petition. The public interest will be served due to the very substantial gains in FM service in the South Hill and Lawrenceville areas.

If the channel exchanges proposed by Old Belt are implemented, Old Belt, consistent with the Commission's require-

^{2/} The Commission in its Report and Order, Modification of FM and TV Stations, 56 RR 2d 1253, 1255 (1984) encouraged FM stations to "upgrade their facilities in order to improve service to their communities."

ments and rules, will promptly apply to increase the power of Station WSHV to 6.0 kw and to modify its license so as to specify operation on Channel 255A. Old Belt agrees that if the license of Station WHFD is modified to specify operation on Channel 288A as proposed herein, then and in that event, it will reimburse Link for his legitimate and reasonable expenses for changing channels at Station WHFD from Channel 255A to Channel 288A.

WHEREFORE, the premises considered, Old Belt Broadcasting Corporation respectfully requests the Commission to begin a rulemaking proceeding looking toward amending Section 73.202(b) of its rules so as to allot Channel 255A to South Hill and Channel 288A to Lawrenceville, and to modify the respective authorizations for Station WSHV, South Hill and Station WHFD, Lawrenceville accordingly. The changes proposed in this petition will serve the interests of the people in both the South Hill and Lawrenceville areas of Virginia, as well as the larger public interest inherent in the Communications Act of 1934, as amended, and the Commission's rules.

Respectfully submitted,

OLD BELT BROADCASTING CORPORATION

By:


Earl R Stanley

WILKINSON, BARKER, KNAUER & QUINN
1735 New York Avenue, N.W.
Washington, D.C. 20006
(202) 783-4141

Its Counsel

Dated: May 18, 1992

REQUEST FOR RULE MAKING
OLD LINE BROADCASTING COMPANY
WSHV RADIO STATION
SUBSTITUTE CH 255A FOR CH 288A
SOUTH HILL, VIRGINIA
May 1992

Technical Exhibit
TE-1

Bromo Communications, Inc.
P.O. Box M - 1331 Ocean Boulevard, Suite 201
St. Simons Island, Georgia 31522
(912) 638-5608

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REQUEST FOR RULE MAKING
OLD LINE BROADCASTING COMPANY
WSHV RADIO STATION
SUBSTITUTE CH 255A FOR CH 288A
SOUTH HILL, VIRGINIA
May 1992

TECHNICAL STATEMENT

1. This Technical Statement and attached exhibits were prepared on behalf of Old Belt Broadcasting Corp. ("Old Belt"), licensee of Radio Station WSHV, Channel 288A, South Hill, Virginia, and supports its Petition for Rule Making. Old Belt proposes to substitute Channel 255A for Channel 288A at South Hill, Virginia. One additional substitution must also be made.

PROPOSAL

2. Old Belt requests that Channel 255A be allotted to South Hill, Virginia, at the following reference coordinates; North Latitude 36° 44' 39" and West Longitude 78° 09' 42". These reference coordinates are the same as the presently licensed site of WSHV (FM), currently permitted to operate at 4.5 kilowatts. This site clears all allocation constraints with the exception of WHFD, Lawrenceville, Virginia. However, if WHFD is moved to Channel 288A, both stations may have full 6.0 kilowatt operation if they wish. At the proposed allocation coordinates, Channel 255A will provide a 3.16 mV/m signal over all of South Hill, Virginia.

3. Exhibit #1 visually demonstrates the usable area for Channel 255A at South Hill, Virginia. Exhibit #2 is a detailed allocation study for Channel 255A and shows that this proposal complies with §73.207 of the Commission's rules. Exhibit #3 is the allocation study for WHFD, Lawrenceville, Virginia, showing that Channel 288A complies with §73.207 of the Commission's rules.

PUBLIC INTEREST

4. As presently authorized, WSHV operates with 3.0 kilowatts effective radiated power ("ERP") at a height above average terrain ("HAAT") of 100 meters. An improved WSHV would operate from the present site with 6.0 kilowatts ERP. Additionally, if WHFD wishes to increase to 6.0 kilowatts at 100 meters HAAT, their proposed new channel will accommodate this. Neither present channel will allow either WSHV or WHFD to increase to 6.0 kilowatts.

REQUEST

5. Old Belt proposes the following change to §73.202(b) of the Commission's rules:

South Hill, Virginia

Present

288A

Proposed

255A

Lawrenceville, Virginia

Present

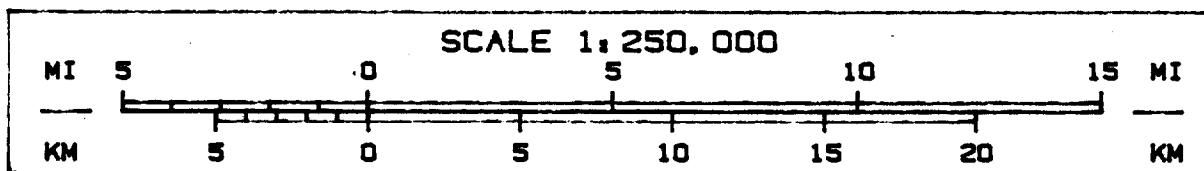
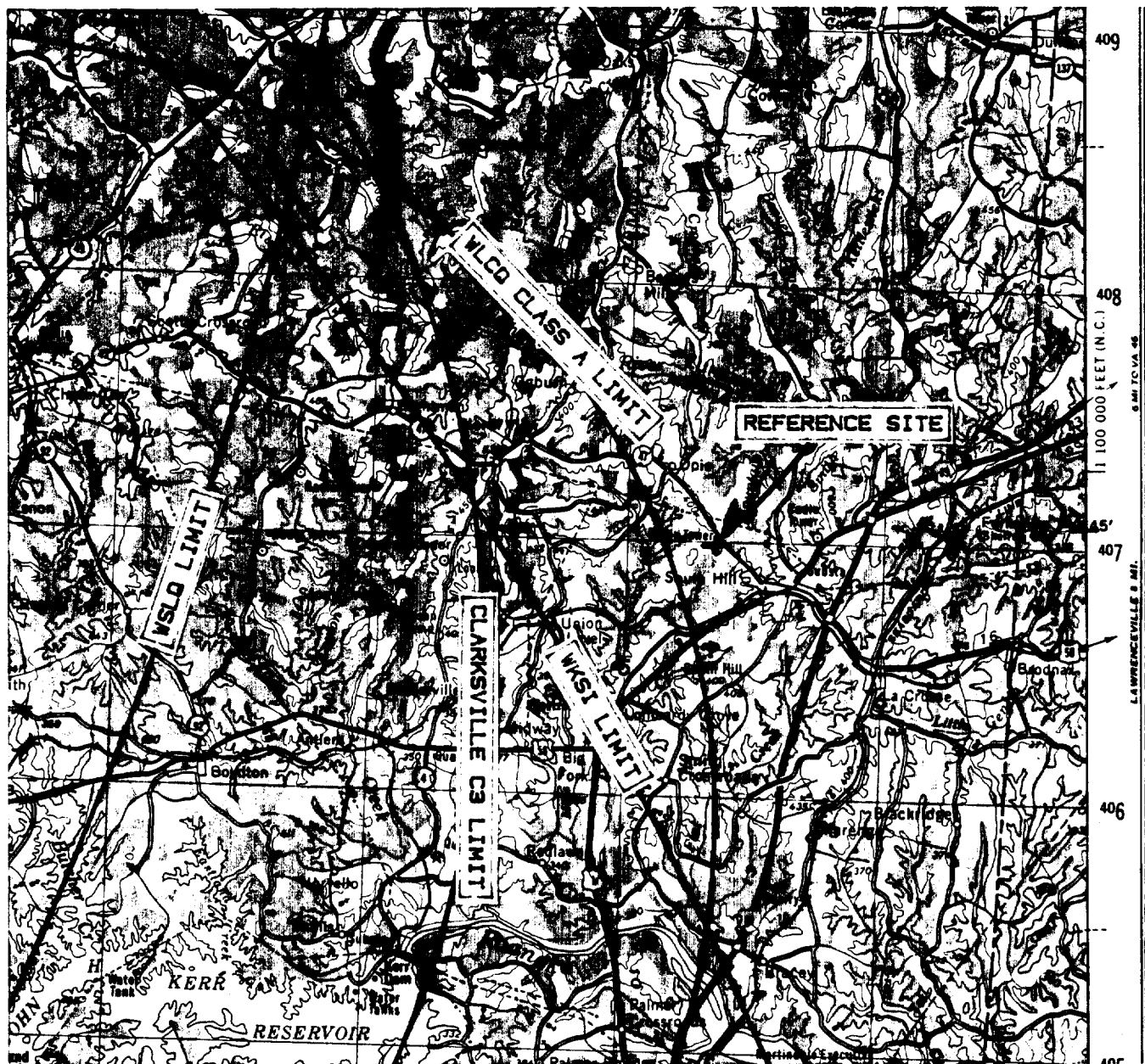
255A

Proposed

288A

6. When Channel 255A is allotted to South Hill, Virginia, Old Belt will, on a timely basis, file the appropriate form to become licensed at the new power level.

7. The foregoing Technical Statement was prepared on behalf of Old Belt Broadcasting Corporation by Bromo Communications, Inc., its Technical Consultant. We have tried to be as accurate as possible in the preparation of this report. Should there be any questions concerning the information contained herein, we welcome the opportunity to discuss the matter by phone (912) 638-5608.



255A USABLE AREA

THIS MAP ASSUMES WHFD, LAWRENCEVILLE, VA
ON CHANNEL 288A

PROPOSED SITE:
36 44 39 NORTH LATITUDE
78 09 42 WEST LONGITUDE

EXHIBIT #1

OLD BELT BCSTG. CORP.
REQUESTED RULE MAKING
WSHV (FM) RADIO STATION
SOUTH HILL, VIRGINIA

MAY 1992

BROMO
COMMUNICATIONS

St Simons Island, Georgia

BROADCAST
TECHNICAL CONSULTANTS

Washington, D.C.

BROMO COMMUNICATIONS INC.
St. Simons Island GA / Washington DC

WSHV (FM) Radio Station
South Hill, Virginia

REFERENCE		CLASS A	DISPLAY DATES
36 44 39 N			DATA 03-26-92
78 09 42 W		Current rules spacings	SEARCH 05-08-92
----- CHANNEL 255 - 98.9 MHz -----			

CALL TYPE	CH# LAT	CITY LNG	STATE FWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
* WHFD.C	255A	Lawrenceville	VA	87.9	26.64	115.0	-88.36 *
CP CN	36 45 10	77 51 49	3.000 kW	47M	16.6	71.5	
	William Carlton Link				BPH910607JI		
WLCQ	252A	Clarksville	VA	250.6	32.87	31.0	1.87 <
LI CN	36 38 45	78 30 31	3.000 kW	91M	20.4	19.3	
	Clarksville Broadcasting Co.,				BLH860210KC		
>*To amend to channel 252C3 Per D91-323							
WKSI	254C	Greensboro	NC	240.1	172.27	165.0	7.27
LI CN	35 58 09	79 49 29	100.000 kW	316M	107.1	102.6	
	WCCB-TV, Inc.				BLH890126KF		
ALOPEN	252C3	Clarksville	VA	265.5	51.22	42.0	9.22
AL N	36 42 30	78 44 00	0.000 kW	0M	31.8	26.1	
	91-323						
WSLQ	256C	Roanoke	VA	285.7	184.51	165.0	19.51
LI CY	37 11 41	80 09 22	200.000 kW	607M	114.7	102.6	
	Mel Wheeler, Inc.				BMLH830922AA		
>GRANDFATHERED AT 200KW @ 607M HAAT.							

255A ALLOCATION STUDY

* WHFD, LAWRENCEVILLE VIRGINIA IS PROPOSED
TO UTILIZE CHANNEL 288A

EXHIBIT #2

**OLD BELT BCSTG. CORP.
REQUESTED RULE MAKING
WSHV (FM) RADIO STATION
SOUTH HILL, VIRGINIA**

MAY 1992

BROMO	BROADCAST
COMMUNICATIONS	TECHNICAL CONSULTANTS
St Simons Island, Georgia	Washington, D.C.

BROMO COMMUNICATIONS INC.
St. Simons Island GA / Washington DC

WHFD (FM) Radio Station
Alternate Channel Allocation

REFERENCE
36 45 10 N
77 51 49 W

CLASS A
Current rules spacings
CHANNEL 288 -105.5 MHz

DISPLAY DATES
DATA 03-26-92
SEARCH 05-08-92

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
* WSHV.C CP CN	288A 36 44 39	South Hill 78 09 42	VA 4.500 kW	267.9 98M	26.64 16.6	115.0 71.5	-88.36 *
		Old Belt Broadcasting Corpora			BPH900601IA		920513
WRSF.C CP CN	289C 35 53 18	Columbia 76 13 50	NC 100.000 kW	123.2 301M	175.23 108.9	165.0 102.6	10.23
		Jones, Eastern of the Outer Ba			BPH8703020E		890516
WMXN LI CN	287B 36 48 43	Norfolk 76 27 49	VA 50.000 kW	87.0 152M	125.15 77.8	113.0 70.2	12.15
		ML Media Opportunity Partners			BLH4836		
WKDEFM LI CN	288A 37 09 37	Altavista 79 13 28	VA 3.000 kW	290.5 100M	129.36 80.4	115.0 71.5	14.36
		Fernbrook Broadcasting Corpor			BLH870130KA		
WRDU LI CN	291C 35 45 36	Wilson 78 11 04	NC 100.000 kW	194.7 411M	113.87 70.8	95.0 59.0	18.87
		Voyager Communications V, Inc			BLH840912CR		

288A ALLOCATION STUDY

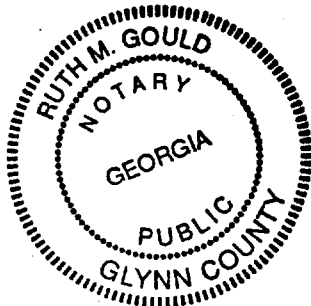
* WSHV. SOUTH HILL. VIRGINIA IS PROPOSED TO
UTILIZE CHANNEL 255A

EXHIBIT #3

**OLD BELT BCSTG. CORP.
REQUESTED RULE MAKING
WSHV (FM) RADIO STATION
SOUTH HILL, VIRGINIA**

MAY 1992

BROMO
COMMUNICATIONS
St Simons Island, Georgia
BROADCAST
TECHNICAL CONSULTANTS
Washington, D.C.



CERTIFICATE OF SERVICE

I, Marilyn D. Garrett, a secretary with the law firm of Wilkinson, Barker, Knauer & Quinn, certify that on this 18th day of May 1992, a copy of the foregoing "Petition for Rulemaking" was mailed by first-class U.S. mail, postage prepaid, or by hand delivery, upon the following:

Mr. William Carlton Link
Station WHFD
Route 1, Box 16
Highway 58 East
Lawrenceville, Virginia 23868
Licensee of Station WHFD

* Mr. William W. Webbink, Chief
Rules and Policy Division
Federal Communications Commission
2025 M Street, N.W. - Room 8010
Washington, D.C. 20554


Marilyn D. Garrett